

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION**

September 10, 2019

PRESENT: Chairman Torsten Rhode Commissioner Adrienne Kantz
 Vice Chairman Stanley Taylor Commissioner Lindsay Henahan
 Commissioner Jeff Ayers
 Commissioner Anne Beyer

ABSENT: Commissioner Guy Turchetti

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

CALL TO ORDER

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

APPROVAL OF MINUTES:

Chairman Rhode asked if anyone had any additions or corrections to the August 13, 2019 Meeting Minutes. Commissioner Kantz moved to approve the minutes as submitted. Vice Chair Taylor seconded the motion, which carried by unanimous voice vote (6-0).

REVIEW OF APPLICATIONS

ITEM 1 Application #19-248: 143 South Main, AUBERGINE, for a Historic Alteration, to install a wall sign, window signs, and replace awning fabric.

Mary Ellen West represented the application. Denise Chaapel, Downtown Manager, was also present. This new business will fill the storefront formerly occupied by “American Made”. That sign was centered within the long sign board, with the wall exposed on the ends. The “Aubergine” sign will be slightly smaller, but will incorporate “wing panels” with no content that will completely cover the width of signboard. The colors proposed are eggplant and cream. Ms. West also requested to add an A-frame sign to the application. She also said they will be replacing the fabric on the awning.

Chairman Rhode inquired about lighting for the wall sign. Ms. West said there would be no new, exterior lighting.

Mr. Brown confirmed they will be using the existing, retractable, framework with new fabric. Ms. Chaapel described the awning fabric to be a solid eggplant color with no lettering.

Chairman Rhode confirmed the window signs would be within the required guidelines of no more than 25% window coverage. The window signs will be adhesive, made to appear like etched glass.

The proposed A-frame sign is to have the logo at the top. The bottom, one-third portion will be chalkboard, to allow for changing. Chairman Rhode asked about the material for this sign. Ms. Chaapel explained the design would be similar to the wooden A-frame sign of “Crown Jewelers”.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. Approval includes a portable sign with a frame made of wood or metal.

Commissioner Kantz seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henchan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 2 (Public Hearing) Application #19-262: 402 North Main Street, DAVID VANWUYCKHUYSE, for a Special Use Permit (Residential Conversion) to convert the existing structure back into a two-family residence.

David Van Wuyckhuyse, the homeowner, represented the application. The property is within a single-family zone district, so the grandfathered rights of the previous, two-family unit have been lost. He would now like to have it recognized under zoning as a legal “two-family dwelling”. For many years, it was a two-family home. The former apartment was converted into an office and interior separations and separate entrances remained, as well as separate utilities, a second kitchen, and even two mailing addresses. The office has already been converted back into living space, but the house has operated as a single-family home, with both units being occupied by family members.

Chairman Rhode opened the Public hearing. Seeing no one, the hearing was closed.

Chairman Rhode asked if there is currently any connection from the inside or if any physical alterations were proposed. Mr. Van Wuyckhuyse described the house as a two-family construction with no interior connection. There are no changes proposed, including the existing parking area.

Chairman Rhode noted the unique circumstances of this application due to the physical construction with existing separate entrances, utilities and mailing addresses.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Henehan seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 3 (WITHDRAWN) (Public Hearing) Application #19-264: 10 Chapin Street, SAVARINO COMPANIES, Special Use Permit, Site Plan Review, Architectural Review to redevelop vacant 80,000 SF building. (Amendment to plans approved May 9, 2017)

ITEM 4 Application #19-266: 303 North Main Street, PATRICK PLACITO, for a Historic Alteration, to reside the detached garage.

Patrick Placito, the homeowner, represented the application. Mr. Placito proposes vinyl siding for a three-car detached garage. The garage is about 125 feet from the street with limited visibility through the portico. There is currently particle board combined with cove siding on the garage. Bees have burrowed into the siding creating a situation that he feels is not safe. He believes vinyl siding would remedy the problem.

Commissioner Henehan confirmed that Mr. Placito's house is currently sided in wood.

Vice Chairman Taylor asked if alternate siding materials were considered. He believes vinyl siding is not appropriate considering the visibility from the “Granger Homestead”. Mr. Placito stated that he did consider other options, but found the cost to be significantly higher.

Mr. Placito stated that his neighbor’s house to the north is vinyl sided and is visible from the street. Mr. Brown explained that the application for vinyl siding for that house was presented to the Planning Commission, approximately 10 years ago, but was tabled. The homeowner was asked to explore the original, underlying siding to see if it could be restored. Upon discovering that a significant portion was missing, the vinyl siding was then approved.

Commissioner Ayers believes a cost comparison between vinyl siding and alternate materials would be helpful.

Mr. Placito expressed concern that it may not resolve his issue with the bees. Commissioner Ayers proposed the option of using an exterminator. Chairman Rhode believes that a material such as Hardie board, cement siding is impervious to insects and would be an option for consideration. Vice Chairman Taylor agreed and said that Hardie plank material will seal against insects much better than vinyl.

Commissioner Rhodes stated that the Commission adheres to the Department of Interior Guidelines, which recommends the use of appropriate materials. He does not feel that vinyl siding is an appropriate material.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission **Table** the application to allow the applicant an opportunity to obtain two to three quotes and provide material samples for the board’s review.

Chairman Rhode asked for a second for the motion. Hearing none, the motion failed. He asked for an alternate motion.

Vice Chair Taylor moved that the Planning Commission **Deny** the application.

Commissioner Henchan seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henchan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 5 **Application #19-270: 811 South Main Street, SEAGER MARINE, for Architectural Review, to install a fence at the front of the property.**

John Holland, the property owner, represented the application. They propose using a 3-foot high, black, aluminum, “wrought iron” style fence to define their property line and partition the area to clearly indicate customer parking. The style is consistent with the nearby walkway bridge over the Feeder Canal.

Chairman Rhode asked about the length of each leg of the fence. Mr. Holland described two, 6-foot panels on each side with an approximate 20-foot opening in the middle for parking access. A pedestrian gate is included to accommodate the neighbor’s 4-foot wide easement.

Commissioner Henehan and Vice Chairman Taylor approve of the design of the fence and noted that it does not obstruct any views.

Although there was no public hearing with this application, James Cretekos of BME Associates, representing the owners of 11 Lakeshore Drive, requested permission to speak to the board. Chairman Rhode granted permission providing it pertains to the Planning Commission’s Architectural Review of the fence. Mr. Cretekos submitted documents detailing concerns about the application. Among his concerns is the 4-foot easement area that provides access to a utility room and a secondary access to the store at 11 Lakeshore Drive for emergency ingress and egress. Installation of the fence, as proposed, would prevent access from the 4-foot strip to the front area. In addition, he is concerned that the material of the fence is not appropriate for the heavy use of the area and it would likely be damaged.

Steve Howie, of 11 Lakeshore Drive, also asked permission to speak. He asked for clarification of the setback requirements of the fence. Mr. Brown explained that the fence could be on the property line; there is no setback required.

Mr. Brown suggested if there is some concern about the legal interpretation of the easement, that it be handled between the two property owners. The Planning Commission does not have access to the details of this easement, nor does it have the rights to enforce it. He explained that the responsibility of the Planning Commission under Architectural Review is to determine if the fence obscures the view of the lake and if it is appropriate for the district.

Joe Bader also asked to speak on behalf of the parties at 11 Lakeshore Drive. Mr. Bader questioned who is responsible for maintenance of the fence. He believes it is likely to be damaged from snow plowing. Mr. Brown explained that maintenance of the fence falls under Property Maintenance Code and would be the responsibility of the property owner.

Mr. Bader questioned why the fence ends without extending to the sidewalk. From an architectural standpoint, he believes a six-foot section of fence, sitting in the middle of a parking lot is not very pleasing. Chairman Rhode asked the commissioners to consider the appropriateness of a 6-foot section of fence at the corners only. Commissioner Ayers believes that the fence should extend further toward the Pier. Commissioner Henehan agreed.

Chairman Rhode asked if there were any other comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The fence is to be installed with a return toward the Pier, equal in length to the portion along Lakeshore Drive.

Vice Chair Taylor seconded the motion, which carried with a vote (5-1).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	NO

ITEM 6 Application #19-274: 74 Bristol Street, JOSEPH FURMANSKY, for a Historic Alteration, to install a metal roof.

Joseph Furmansk, the homeowner, represented the application. In 2016, he applied for and received approval to use metal roofing over the porch. This was a “standing-seam” style with a vertical seam of 1” and panels of 19”. He plans to use the same design and color for the same appearance.

Vice Chairman Taylor asked if the top portion of the roof was to be included. Mr. Furmansk explained that the asphalt shingles are still in good condition and he would like to exclude that portion at this time.

Commissioner Henehan prefers that the entire roof is resurfaced. She believes the light gray shingles on the top portion are too great of a contrast to the black metal that is proposed. Vice Chairman Taylor agreed.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Henehan moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. When the upper portion of the roof is replaced, it will match the approved metal.

Commissioner Kantz seconded the motion. After further discussion regarding approval of a project to be completed in stages, the second was withdrawn.

Commissioner Ayers then seconded the motion, which carried with a vote (4-2).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	NO
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	NO
Chairman Rhode	Voting	YES

ITEM 7 Application #16-017D: 205 Lakeshore Drive, CANANDAIGUA FINGER LAKES RESORT Amendment to Final Site Plan approved on August 14, 2018

Robert Murphy represented the application. The amendment proposes to install ULC one-arm gates at either end of the drive that runs between the hotel and parking garage, thereby deterring vehicular access in this area. Mr. Murphy stated that there are projected to be approximately 700 people crossing on a daily basis, which creates a safety hazard. He stated that this road exists primarily for the Fire Department to have access to that side of the building.

Commissioner Kantz asked how these gates would open. Mr. Murphy explained that one would need to hit a button to raise the arm. Commissioner Henehan confirmed that members of the fire department would need to get out of their vehicle and physically push the button to gain access as could anyone else.

Chairman Rhode read a submission from Fire Chief Frank Magnera. The Fire Department is not in favor of these gates unless they are automated and equipped with an approved active transmitter or a sound-activated siren entry system to allow immediate access within close proximity. The Director of Public works also submitted a statement explaining that the gates would not allow them to maintain a second route for cars to exit. The public parking lot of approximately 175 cars would be limited to a single point of egress. Vice Chairman Taylor believes the public parking lots on both sides, need to be open, not closed off.

Mr. Murphy expressed concern about controlling speeding along the drive if no gates are present. Chairman Rhode stated that the Fire Department proposes speed bumps for this issue. Mr. Murphy believes they are a liability because of the damage they cause to the fairings on some newer vehicles.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission **Deny** the application.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henahan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 8 Application #19-271: 92 Gibson Street, JOAN GEISE, for a Historic Alteration, to reconstruct porch steps.

Joan Geise, the homeowner, represented the application. The existing porch and handrails are wooden, but the steps are brick. Ms. Geise would like to replace these brick steps with traditional, wooden steps made of mahogany.

Commissioner Henahan asked if the wood is to be painted. Ms. Geise stated that she plans to paint or apply a clear sealer to the steps. She provided photos of the neighbor's porch at 96 Gibson, which would be very similar to those she is proposing.

Commissioner Ayers questioned if the existing brick steps would be removed. Ms. Geise confirmed that the bricks and concrete underneath have settled and would all need to be removed.

Vice Chairman Taylor believes that the proposed wooden steps would be an improvement.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Henahan moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Kantz seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henahan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

SUPPLEMENTAL AGENDA

ITEM 1 Application #19-285: 23 Coach Street, PEOPLE READY, Architectural Review to replace 16 SF wall sign.

The applicant was not present. Mr. Brown explained the proposal is for a straight replacement of the current sign. The only change would be the design for the new tenant. The size and location would remain the same.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Henehan moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 2 Application #19-287: 200 South Main Street, LYNN'S NAILS, Historic Alteration to install a wall sign and window signs, and to display a portable sign.

Business owner, Thanh Thai represented the application. Denise Chaapel, Downtown Manager, was also present. She has been working closely with the applicant. Mr. Thai is proposing a wall sign on the façade of the building, in addition to vinyl window signage and a portable A-frame sign.

Ms. Chaapel described the sign over the front entrance door, which is the one on the left. The other door will not be used. The existing panel sign has scalloped edges. He proposes changing the color to taupe to match the trim around the doorways. The lettering will be a cream color.

Ms. Chaapel explained that the dimensions of the window signs will be under the 25% maximum requirement.

Vice Chairman Taylor inquired about the A-frame sign. Ms. Chaapel described it as a metal design with inserts. Mr. Thai proposes using the same burgundy-red color in the background that matches the current building trim. He is planning to add curtains to match this color.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chairman Taylor moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Henehan seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	ABSENT
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

WORK SESSION

ITEM 1 BELL ATLANTIC MOBILE for Architectural Review and Special Use Permit (Public Utility) to install small cell wireless facilities.

Nathan Vander Wal, from Nixon-Peabody was present. With him were Josh Doolin, an RF engineer with Verizon Wireless, Lisa Maas-Vangellow, from Airosmith Development, and Project Manager, Kathy Pomponio.

The Canandaigua Small Cell Cluster contemplates the installation and operation of four micro wireless telecommunication facilities (or “small cells”) strategically located in the City of Canandaigua. The primary objective of the project is to resolve network capacity deficiencies and improve service quality in the commercial areas along Main Street (Route 332), generally in the area surrounding the Canandaigua schools, offloading network traffic from the overloaded sectors of the existing sites serving these high-traffic areas of the City.

On February 12, 2019, they proposed locations for three of the four sites they have explored. They are returning now with all four sites as well as alternatives to address the various aesthetic concerns expressed. This is not an official application, but in informal discussion to better prepare for their application. The four sites are as follow:

1. “332 & Antis” located at 245 South Main Street.
2. “Canandaigua Schools” located in the public right-of way adjacent to 130 N. Pearl Street.
3. “332 & Dungan” located in the public right-of-way adjacent to 134 North Main Street.
4. “332 & West” located at 65 South Main Street.

Mr. Vander Wal discussed some modifications to the first site (on the Villager) including relocating the supporting equipment out of sight. They are also proposing using a new, reflective

tape on the antenna, designed to reflect the environment, thereby minimizing visibility. They plan to temporarily install an antenna at this location, using the reflective tape, to allow members of the Commission to view it in place. This would not include any equipment.

Chairman Rhode described models from other communities, such as Denver and Aspen. He noted that maximum extent concealment of any auxiliary equipment is required. Equipment is often concealed by containing it within the pole. Colorful labels or guards must be positioned in such a way to minimize view from public walkways.

Vice Chairman Taylor questioned if the poles that hold the traffic signals could be replaced with Comtech Technology poles, mounting the mini-towers to the top with the equipment contained in the bottom. Ms. Pomponio explained that the Department of Transportation would most likely not approve of that proposal, as the poles needed for the small cells are much taller.

Chairman Rhode described Washington, D.C.'s restrictive requirements for cell towers. In some cases, it's preferable to use multiple, smaller poles. He also described Denver's use of multi-carrier, free-standing, small cell assemblies. This would require carriers to share one pole. He asked if this was a feasible option. Mr. Doolin explained that those poles are very large and not designed for small-cell applications.

Mr. Vander Wal explained the modification proposed for the "Canandaigua Schools" site at 143 North Pearl Street. An alternate site proposed is across the street on the east side (school side) of North Pearl. The antenna would be located between the existing lines. The equipment would be raised up an additional five feet, to be more out of the line of sight and would be painted brown to match the pole.

Mr. Vander Wal described an alternate proposal for the site "Route 332 & Dungan Street" (at 34 134 North Main Street) that uses a stealth flag pole on Wood Library property. The equipment would be located within the base. There are currently in on-going discussions with the library regarding this proposal.

Chairman Rhode remarked about the improvements in the new proposals regarding the efforts to conceal the antennae and equipment.

MISCELLANEOUS

Commissioner Henehan observed that the required privacy hedge at "Valvoline", 490 North Main Street, has been partially trimmed back during construction of the new addition. Mr. Brown confirmed that it will be checked by the Building Inspector to ensure that the project is consistent with Planning Commission approval upon completion.

Vice Chairman Taylor informed of the latest topics at the Comprehensive Committee meeting. Discussion involved limiting the heights of buildings in the lakefront area and the importance of keeping that area as open and accessible as possible. Also mentioned was the desire to commemorate Roseland Amusement Park.

ADJOURNMENT

Commissioner Henehan moved to adjourn the meeting at 10:03. Vice Chairman Taylor seconded the motion which carried with a unanimous voice vote (7-0).

Richard Brown
Director of Development & Planning

Torsten Rhode
Planning Commission Chairman